

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT TRADEMARK OFFICE

Art Unit : 2121  
Examiner : Adrian L. Kennedy  
Serial No. : 10/645,982  
Filed : August 22, 2003 Confirmation No.: 8601  
Inventors : Dean S. Thompson Dated: January 10, 2007  
Title : SYSTEM AND METHOD FOR  
: OPTIMIZING A  
: COMPUTER PROGRAM Docket No.: EVO01-0001

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**AMENDMENT AND RESPONSE TO OFFICE ACTION**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed on August 5, 2008. This Response is being filed within three months after the end of the shortened statutory period set for response. A Request for a three month extension along with the appropriate fee is being submitted herewith. The Commissioner is hereby authorized to charge any additional fees due or credit any overpayments in connection with this application to Deposit Account 50-2989.

Applicants respectfully request that the above identified application be reconsidered in view of the amendments and remarks which follow, that each of the presently pending claims be allowed, and that the application be passed to issue.

**Amendments to the Claims** begin on page 2.

**Remarks** begin on page 6

Please amend the above-identified application without prejudice or disclaimer of subject matter as follows: